

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

ALBERT J. GRAY et al.,

*Plaintiffs,*

vs.

JEFFREY DERDERIAN, et al.,

*Defendants.*

C.A. No. 04-312L

SEP 14 2004

**DEFENDANTS', DENIS LAROCQUE AND DIANE DERUOSI In HER  
CAPACITY AS TREASURER OF THE TOWN OF WEST WARWICK MOTION  
TO DISMISS CROSS-CLAIM OF DEFENDANT HOWARD JULIAN  
In LIEU OF ANSWER**

NOW COME Defendants, Denis Larocque and Diane DeRuosi in her capacity as Treasurer of the Town of West Warwick and hereby move to dismiss the Cross-Claim of defendant, Howard Julian in lieu of answer in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure. In support thereof, defendants rely upon the Memorandum of Law, attached and incorporated herein along with *Memorandum Of Law* filed in support of Defendants', Denis Larocque, Anthony Bettencourt And Malcolm Moore In His Capacity as Finance Director for the Town of West Warwick Motion to Dismiss Plaintiffs' Complaint in Lieu of Answer.

Granted: *Ronald R. Sweeney*  
Sr. USDT 12/10/04